

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-481-D

LIVEWIRE MEDIA, INC.,)
a/k/a Ticketfusion,)
)
Plaintiff,)
)
v.)
)
PALACE THEATRE, LLC,)
)
Defendant.)

ORDER

On August 12, 2011, plaintiff filed a motion for dismissal without prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure [D.E. 19]. Defendant opposes the motion [D.E. 21] and seeks judgment on the pleadings [D.E. 17].

After considering the entire record, the court believes that dismissal without prejudice is appropriate. Accordingly, plaintiff's motion [D.E. 19] is GRANTED, defendant's motion [D.E. 17] is DISMISSED as moot, and this action is dismissed without prejudice.

SO ORDERED. This 10 day of October 2011.



JAMES C. DEVER III
Chief United States District Judge